

VIRGINIA DEPARTMENT OF MINES, MINERALS & ENERGY

VIRGINIA GAS AND OIL BOARD

Minutes and results of hearing - August 20, 2002

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Board members in present: Mr. Brent, Mr. Garbis, Mr. King, Mr. Lewis, Mr. Mitchell, Mr. Wampler

1. The Virginia Gas and Oil Board received a quarterly report on the board escrow account as administered by First Union Bank, Escrow Agent for the Board.

For the second quarter of 2002, deposits totaled \$142,488.93, interest was \$17,723.55, and withdrawals (disbursements) totaled \$34,191.46. Closing balance as of June 28, 2002 was \$6,478,520.55.

2. The Virginia Gas and Oil Board reconvened Docket VGOB-93-02/16-0328-01, Unit Q-40, for further consideration of applications filed by certain claimants for the calculation and thereafter disbursement to them of funds on deposit in the drilling unit escrow account based upon claimants' stipulated settlement of their conflicting claims to the ownership of coalbed methane gas production allocable to tracts three and four wherein they own coal and gas rights. Continued from July.

The oil and gas owner in Tract 3 has purchased the coal interests of the conflicting claimant, and wishes to have that claimant dismissed and funds attributed to the tract disbursed. The conflicting claimants in Tract 4 have reached a royalty split agreement and request that escrowed funds be disbursed. Disbursement was approved.

3. The Virginia Gas and Oil Board considered a petition from Equitable Production Company under Section 45.1-361.22 for pooling of a coalbed unit under the Nora Coalbed Gas Field order identified as VC-505187 located in the Hurricane District, Vansant Quadrangle, Buchanan County, Virginia. Docket Number VGOB-02-06/18-1035. Continued from July.

In the VC-505187 unit, the applicant controls 82.4% of the coal interests and 78.1% of the gas interests, and seeks to pool the remaining 17.6% and 21.8%, respectively, of the interests. Unleased coal acreage subject to pooling totals 10.3 acres in one tract with five unleased owners. Unleased gas acreage subject to pooling totals 12.8 acres in two tracts with 13 unleased gas owners. There are conflicting claimants subject to escrow. A permit to drill the unit was issued in July. Pooling was approved.

4. The Virginia Gas and Oil Board considered a petition from Columbia Natural Resources, Inc. under Section 45.1-361.21 for pooling of a conventional gas unit identified as CNR 24655 located in the Rock Lick District, Grundy Quadrangle, Buchanan County, Virginia. Docket Number VGOB-02-06/18-1038. Continued from July.

Continued to September hearing at the request of the applicant to allow time for further

negotiations by interested parties.

5. The Virginia Gas and Oil Board considered a petition from Columbia Natural Resources, Inc. under Section 45.1-361.21 for pooling of a conventional gas unit identified as CNR 24629 located in the Rock Lick District, Harmon Quadrangle, Buchanan County, Virginia. Docket Number VGOB-02-06/18-1039. Continued from July.

Continued to September hearing at the request of the applicant to allow time for further negotiations by interested parties.

6. The Virginia Gas and Oil Board considered a petition from Pocahontas Gas Partnership under Section 45.1-361.22 for pooling of a coalbed methane unit under the Middle Ridge 1 Coalbed Methane Gas Field Order and identified as AZ-118 located in the New Garden District, Honaker Quadrangle, Russell County, Virginia. Docket Number VGOB-02-07/16-1040. Continued from July.

In the AZ-118 unit, the operator controls 100% of the coal interests and 76.8% of the gas interests, and seeks to pool the remaining 23.2% of the gas interests. Acreage subject to pooling totals 13.6 acres in 10 tracts with 10 owners. There are conflicting claimants subject to escrow. A permit to drill this unit was issued in July. Pooling was approved.

7. The Virginia Gas and Oil Board considered a petition from Pocahontas Gas Partnership under Section 45.1-361.22 for pooling of a coalbed methane unit under the Oakwood Coalbed Methane Gas Field 1 Order and identified as CC-36 located in the Maiden Springs/Garden Districts, Keen Mountain Quadrangle, Tazewell & Buchanan Counties, Virginia. Docket Number VGOB-02-07/16-1041. Continued from July.

In the CC-36 unit, the operator controls 100% of the coal interests and 98.3% of the gas interests, and seeks to pool the remaining 1.7% of the gas interests. Acreage subject to pooling totals 1.7 acres in one tract with one owner. There are conflicting claimants subject to escrow and claimants subject to payment under an existing royalty split agreement. A permit to drill this unit has been issued, and a well was drilled and completed in November/December, 2001. Pooling was approved.

8. The Virginia Gas and Oil Board considered a petition from Pocahontas Gas Partnership under Section 45.1-361.22 for pooling of a coalbed methane unit under the Oakwood Coalbed Methane Gas Field 1 Order and identified as FF-29 located in the New Garden/Garden Districts, Keen Mountain Quadrangle, Russell & Buchanan Counties, Virginia. Docket Number VGOB-02-07/16-1042. Continued from July.

In the FF-29 unit, the operator controls 99.2% of the coal and gas interests, and seeks to pool the remaining 0.8% of the interests. Acreage subject to pooling totals 0.72 acres in one tract with one owner. There are conflicting claimants subject to escrow and claimants subject to payment under an existing royalty split agreement. A permit application was submitted for this unit, and a permit was issued on June 28, 2002. Pooling was approved.

9. The Virginia Gas and Oil Board considered a petition from Pocahontas Gas Partnership under Section 45.1-361.22 for pooling of a coalbed methane unit under the Oakwood Coalbed Methane Gas Field 1 Order and identified as J-45 located in the Garden District, Jewell Ridge Quadrangle, Buchanan County, Virginia. Docket Number VGOB-02-07/16-

1043. Continued from July.

In the J-45 unit, the operator controls 99.1% of the coal and gas interests, and seeks to pool the remaining 0.9% of the interests. Acreage subject to pooling totals 1.3 acres in two tracts with five owners. There are conflicting claimants subject to escrow. A permit to drill this unit has been issued, and a well was completed in January of 2001. Pooling was approved.

10. The Virginia Gas and Oil Board considered a petition from Pocahontas Gas Partnership under Section 45.1-361.22 for pooling of a coalbed methane unit under the Oakwood Coalbed Methane Gas Field 1 Order and identified as R-47 located in the Garden District, Jewell Ridge Quadrangle, Buchanan County, Virginia. Docket Number VGOB-02-07/16-1044. Continued from July.

In the R-47 unit, the operator controls 100% of the coal interests and 92.6% of the gas interests, and seeks to pool the remaining 7.4% of the gas interests. Acreage subject to pooling totals 5.95 acres in one tract owned by unknown and unlocated heirs. There are conflicting claimants and unlocated owners subject to escrow. A permit to drill has been issued for this unit, and a well was completed in March of 2000. Pooling was approved.

11. The Virginia Gas and Oil Board considered a petition from Evan Energy Company, LC, under Section 45.1-361.17 for a well location exception for proposed well No. 767. That DLC Well No. 1 lies 2269.37 feet North 31 degrees, 21 minutes, 34 seconds West of proposed Well No. 767 on the Rocky Station District, Pennington Gap Quadrangle, Lee County, Virginia. Docket Number VGOB-02-07/16-1045. Continued from July.

The applicant seeks an exception in order to drill a conventional well closer to an existing well than allowed under statewide spacing. The well is to be 231 feet closer to gas well DLC1 than the 2500 feet mandated by spacing. The legal well location falls under a high-tension electric line, and the exception is needed to prevent loss of resources. A permit application has been filed. The spacing exception was approved.

12. The Virginia Gas and Oil Board considered a petition from Equitable Production Company under Section 45.1-361.17 for a well location exception for proposed well V-502356. EPC Well V-2287 lies 1830 feet North 83 degrees 54 minutes West of proposed Well V-502356 on the Lipps District, Coeburn Quadrangle, Wise County, Virginia. Docket Number VGOB-02-07/16-1046. Continued from July.

The applicant seeks an exception in order to drill a conventional well closer to an existing well than allowed under statewide spacing. The well is to be 670 feet closer to gas well V-2287 than the 2500 feet mandated by spacing. The proposed site was selected by the U. S. Forest Service who is surface owner, and the exception is needed to prevent loss of resources. A permit application has been submitted. The spacing exception was approved.

13. The Virginia Gas and Oil Board considered a petition from Equitable Production Company under Section 45.1-361.22 for pooling of a coalbed methane unit under the Nora Coalbed Gas Field Order and identified as VC-505188 located on the Hurricane District, Vansant Quadrangle, Buchanan County, Virginia. Docket Number VGOB-02-07/16-1047. Continued from July.

In the VC-505188 unit, the operator controls 81.3% of the coal and gas interests, and seeks

to pool the remaining 18.7% of the interests. Acreage subject to pooling totals 9.1 acres in one tract with four unleased owners. There are no conflicting claimants and unlocated owners subject to escrow. A permit to drill the unit was issued in July. Pooling was approved.

14. The Virginia Gas and Oil Board considered a petition from Dart Oil & Gas Corporation under Section 45.1-361.21 for pooling of a conventional gas unit and identified as French #1 located in the Clear Fork District, Anawalt Quadrangle, Tazewell County, Virginia. Docket Number VGOB-02-07/16-1048. Continued from July.

In the French #1 conventional gas unit, the applicant controls 62.67% of the oil and gas interests, and seeks to pool the remaining 37.33% of the interests. Unleased acreage subject to pooling totals 48.6 acres in seven tracts having seven unleased owners. There are no unlocated owners subject to escrow. A permit application has been submitted. Pooling was approved.

15. The Virginia Gas and Oil Board considered a petition from Equitable Production Company under Section 45.1-361.17 for a well location exception for proposed well P-550423. EPC Well P-168 lies 1909.13 feet South 11 degrees 58 minutes 21 seconds East of proposed well P-550423 on the Kenady District, Caney Ridge Quadrangle, Dickenson County, Virginia. Docket Number VGOB-02-07/16-1049. Continued from July.

The applicant seeks an exception in order to drill a conventional well closer to an existing well than allowed under statewide spacing. The well is to be 591 feet closer to gas well P-168 than the 2500 feet mandated by spacing. The exception is needed to prevent loss of resources. A permit application has been submitted. The spacing exception was approved.

16. The Virginia Gas and Oil Board on its own motion re-convened docket 01-06/19-0897 to consider dismissal of previously issued Board order for pooling of Columbia Natural Resources' Unit CNR 24340 located in the Rock Lick District, Harman Quadrangle, Buchanan County, Virginia.

In the CNR 24340 unit, all pooled parties have reached voluntary agreement rendering the pooling order unnecessary. The Board was asked to dismiss the order and did so.

17. The Virginia Gas and Oil Board considered a petition from Pocahontas Gas Partnership under Section 45.1-361.22 for pooling of a coalbed methane unit under the Middle Ridge I Coalbed Gas Field Order and identified as AV-124 located in the New Garden District, Honaker Quadrangle, Russell County, Virginia. Docket Number VGOB-02-08/20-1050.

The applicant has identified additional parties in the unit who require official notification of the hearing, and requested that the item be continued to September. The request for continuance was approved.

18. The Virginia Gas and Oil Board considered a petition from Pocahontas Gas Partnership under Section 45.1-361.22 for pooling of a coalbed methane unit under the Middle Ridge I Coalbed Gas Field Order and identified as AV-125 located in the New Garden District, Honaker Quadrangle, Russell County, Virginia. Docket Number VGOB-02-08/20-1051.

The applicant has identified additional parties in the unit who require official notification of

the hearing, and requested that the item be continued to September. The request for continuance was approved.

19. The Virginia Gas and Oil Board considered a petition from Pocahontas Gas Partnership under Section 45.1-361.22 for pooling of a coalbed methane unit under the Oakwood Coalbed Methane Gas Field 1 Order and identified as DD-30 located in the Garden District, Keen Mountain Quadrangle, Buchanan County, Virginia. Docket Number VGOB-02-8/20-1052.

In the DD-30 unit, the operator controls 100% of the coal interests and 97.2% of the gas interests, and seeks to pool the remaining 2.8% of the gas interests. Acreage subject to pooling totals 2.26 acres in one tract with one owner. There are conflicting claimants subject to escrow and owners subject to existing royalty split agreements. A permit to drill was issued in June of this year. Pooling was approved.

20. The Virginia Gas and Oil Board considered a petition from Pocahontas Gas Partnership under Section 45.1-361.22 for pooling of a coalbed methane unit under the Oakwood Coalbed Methane Gas Field 1 Order and identified as EE-30 located in the Garden District, Keen Mountain Quadrangle, Buchanan County, Virginia. Docket Number VGOB-02-08/20-1053.

In the EE-30 unit, the operator controls 100% of the coal interests and 95.3% of the gas interests, and seeks to pool the remaining 4.7% of the gas interests. Acreage subject to pooling totals 3.74 acres in three tracts with six unleased owners. There are conflicting claimants subject to escrow and owners subject to existing royalty split agreements. A permit to drill was issued in February of this year and a well has been drilled. Pooling was approved.

21. The Virginia Gas and Oil Board considered a petition from Pocahontas Gas Partnership under Section 45.1-361.22 for pooling of a coalbed methane unit under the Oakwood Coalbed Methane Gas Field 1 Order and identified as EE-33 located in the Garden/New Garden Districts, Keen Mountain Quadrangle, Buchanan/Russell Counties, Virginia. Docket Number VGOB-02-08/20-1054.

In the EE-33 unit, the operator controls 100% of the coal interests and 76.8% of the gas interests, and seeks to pool the remaining 23.2% of the gas interests. Acreage subject to pooling totals 18.55 acres in four tracts with three owners. There are conflicting claimants subject to escrow and parties subject to an existing royalty split agreement. A permit to drill was issued in July of this year. Pooling was approved.

22. The Virginia Gas and Oil Board considered a petition from Pocahontas Gas Partnership under Section 45.1-361.22 for pooling of a coalbed methane unit under the Oakwood Coalbed Methane Gas Field 1 Order and identified as EE-34 located in the Garden/New Garden Districts, Keen Mountain Quadrangle, Russell/Buchanan Counties, Virginia. Docket Number VGOB-02-08/20-1055.

In the EE-34 unit, the operator controls 100% of the coal interests and 73.1% of the gas interests, and seeks to pool the remaining 26.9% of the gas interests. Acreage subject to pooling totals 21.5 acres in three tracts with seven owners. There are conflicting claimants and unlocated owners subject to escrow and parties subject to an existing royalty split

agreement. A permit to drill was issued in July of this year. This item was heard by the Board but no decision was made due to the need to cure a notification problem. Continued to September.

23. The Virginia Gas and Oil Board considered a petition from Pocahontas Gas Partnership under Section 45.1-361.22 for pooling of a coalbed methane unit under the Oakwood Coalbed Methane Gas Field 1 Order and identified as EE-35 located in the New Garden District, Keen Mountain Quadrangle, Russell County, Virginia. Docket Number VGOB-02-08/20-1056.

In the EE-35 unit, the operator controls 73.4% of the coal interests and 71.9% of the gas interests, and seeks to pool the remaining 26.6% of the coal interests and 28.1% of the gas interests. Coal acreage subject to pooling totals 21.3 acres in three tracts with 17 unleased owners. Gas acreage subject to pooling totals 22.5 acres in four tracts with 20 unleased owners. There are conflicting claimants and unlocated owners subject to escrow and parties subject to an existing royalty split agreement. A permit to drill was issued in July of this year. This item was heard by the Board but no decision was made due to the need to cure a notification problem. Continued to September.

24. The Virginia Gas and Oil Board considered a petition from Pocahontas Gas Partnership under Section 45.1-361.22 for pooling of a coalbed methane unit under the Oakwood Coalbed Methane Gas Field 1 Order and identified as FF-35 located in the New Garden District, Keen Mountain Quadrangle, Russell County, Virginia. Docket Number VGOB-02-08/20-1057.

In the FF-35 unit, the operator controls 73.6% of the coal interests and 66.4% of the gas interests, and seeks to pool the remaining 26.4% of the coal interests and 33.6% of the gas interests. Coal acreage subject to pooling totals 23.6 acres in three tracts with 15 unleased owners. Gas acreage subject to pooling totals 30.1 acres in six tracts with 21 unleased owners. There are conflicting claimants and unlocated owners subject to escrow and parties subject to an existing royalty split agreement. A permit application has been submitted but no permit has been issued to date. This item was heard by the Board but no decision was made due to the need to cure a notification problem. Continued to September.

25. The Virginia Gas and Oil Board considered a petition from Pocahontas Gas Partnership under Section 45.1-361.22 for pooling of a coalbed methane unit under the Oakwood Coalbed Methane Gas Field 1 Order and identified as FF-36 located in the New Garden/Maiden Springs Districts, Keen Mountain Quadrangle, Russell/Tazewell Counties, Virginia. Docket Number VGOB-02-08/20-1058.

In the FF-36 unit, the operator controls 96.1% of the coal interests and 85.5% of the gas interests, and seeks to pool the remaining 3.9% of the coal interests and 14.5% of the gas interests. Coal acreage subject to pooling totals 3.5 acres in one tract with 10 unleased owners. Gas acreage subject to pooling totals 13.3 acres in three tracts with 12 unleased owners. There are conflicting claimants subject to escrow. A permit to drill has been submitted but no permit has been issued to date. Pooling was approved.

26. The Virginia Gas and Oil Board considered a petition from Equitable Production Company under Section 45.1-361.22 for pooling of a coalbed methane unit under the Nora Coalbed Gas Field Order and identified as VC-504651 located on the Ervinton District,

Nora Quadrangle, Dickenson County, Virginia. Docket Number VGOB-02-08/20-1059.

In the VC-504651 unit, the operator controls 87.9% of the coal and gas interests, and seeks to pool the remaining 12.1% of the interests. Acreage subject to pooling totals 7.1 acres in one tract with 31 unleased owners. There are unlocated owners subject to escrow. A permit application has been submitted but no permit has been issued. Pooling was approved.

27. The Virginia Gas and Oil Board considered a petition from Equitable Production Company under Section 45.1-371.17 for a well location exception for proposed conventional gas well V-505256. EPC well Number P-30 lies 2,270.00 feet north 58 degrees 33 minutes West of proposed well V-505256 in the Ervinton District, Nora Quadrangle, Dickenson County, Virginia. Docket Number VGOB-02-08/20-1060.

The applicant seeks an exception in order to drill a conventional well closer to an existing well than allowed under statewide spacing. The proposed well is to be 230 feet closer to existing gas well P-30 than the 2500 feet mandated by spacing. No location is available under statewide spacing rules, and the exception is needed to prevent loss of resources. A permit application has been submitted. The spacing exception was approved.

28. The Virginia Gas and Oil Board considered a petition from Evan Energy Company, L.C. under Section 45.1-361.21 for pooling of a conventional gas methane unit identified as Well No. 740 located on the Rocky Station District, Pennington Gap Quadrangle, Lee County, Virginia. Docket Number VGOB-02-08/20-1061.

In the 740 conventional gas unit, the applicant controls 45.1% of the oil and gas interests, and seeks to pool the remaining 54.9% of the interests. Unleased acreage subject to pooling totals 61.8 acres in one tract having one unlocated owner. The unlocated owner's interest is subject to escrow. No permit application has been submitted. Pooling was approved.

29. The Virginia Gas and Oil Board considered a petition from Evan Energy Company, L.C. under Section 45.1-361.21 for pooling of a conventional gas methane unit identified as Well No. 741 located on the Rocky Station District, Pennington Gap Quadrangle, Lee County, Virginia. Docket Number VGOB-02-08/20-1062.

In the 741 conventional gas unit, the applicant controls 99.4% of the oil and gas interests, and seeks to pool the remaining 0.6% of the interests. Unleased acreage subject to pooling totals 0.7 acres in one tract having one unlocated owner. The unlocated owner's interest is subject to escrow. A permit was issued in February and a well drilled in March of this year. Pooling was approved.

30. The Virginia Gas and Oil Board considered a petition from Evan Energy Company, L.C. under Section 45.1-361.21 for pooling of a conventional gas methane unit identified as Well No. 754 located on the Rocky Station District, Pennington Gap Quadrangle, Lee County, Virginia. Docket Number VGOB-02-08/20-1063.

In the 754 conventional gas unit, the applicant controls 78.9% of the oil and gas interests, and seeks to pool the remaining 21.2% of the interests. Unleased acreage subject to pooling totals 23.4 acres in three tracts having one unlocated owner. The unlocated owner's interest is subject to escrow. No permit application has been submitted. Pooling was approved.

31. The Virginia Gas and Oil Board considered a petition from Evan Energy Company, L.C. under Section 45.1-361.21 for pooling of a conventional gas unit identified as Well No. 755 located on the Rocky Station District, Pennington Gap Quadrangle, Lee County, Virginia. Docket Number VGOB-02-08/20-1064.

In the 755 conventional gas unit, the applicant controls 65.3% of the oil and gas interests, and seeks to pool the remaining 34.7% of the interests. Unleased acreage subject to pooling totals 39.1 acres in three tracts having one unlocated owner. The unlocated owner's interest is subject to escrow. No permit application has been submitted. Pooling was approved.

32. The Virginia Gas and Oil Board considered a petition from Columbia Natural Resources, Inc. under Section 45.1-371.17 for a well location exception for proposed conventional gas Well No. 9549. CNR Well Number 21614 lies 1,788.28 feet South 2 degrees 43 minutes 9 seconds East of proposed well 9549 in the Rock Lick District, Harmon Quadrangle, Buchanan County, Virginia. Docket Number VGOB-02-08/20-1065.

The applicant seeks an exception in order to recomplete a conventional well closer to an existing well than allowed under statewide spacing. The proposed recompletion is to be 712 feet closer to existing gas well CNR 21614 than the 2500 feet mandated by spacing. The exception is needed to prevent loss of resources. No permit modification application has been submitted. The spacing exception was approved.

33. The Virginia Gas and Oil Board considered a petition from Columbia Natural Resources, Inc. under Section 45.1-371.17 for a well location exception for proposed conventional gas Well No. 9551. CNR Well Number 9550 lies 2,141.98 feet North 35 degrees 7 minutes 22 seconds East of proposed well 9551 in the Rock Lick District, Harmon Quadrangle, Buchanan County, Virginia. Docket Number VGOB-02-08/20-1066.

The applicant seeks an exception in order to recomplete a conventional well closer to an existing well than allowed under statewide spacing. The proposed recompletion is to be 358 feet closer to existing gas well CNR 9550 than the 2500 feet mandated by spacing. The exception is needed to prevent loss of resources. No permit modification application has been submitted. The spacing exception was approved.

34. The Virginia Gas and Oil Board considered a petition from Columbia Natural Resources, Inc. under Section 45.1-361.21 for pooling of a conventional gas unit identified as Well No. 20793 located on the Knox District, Hurley Quadrangle, Buchanan County, Virginia. Docket Number VGOB-02-08/20-1067.

The applicant reported that all parties have entered into voluntary leases rendering pooling unnecessary. At the applicant's request, the application was withdrawn.

35. The Virginia Gas and Oil Board considered a petition from Dart Oil & Gas Corporation under Section 45.1-361.21 for pooling of a conventional gas unit identified as Johnson #2 located in the Clear Fork District, Anawalt Quadrangle, Tazewell County, Virginia. Docket Number VGOB-02-08/20-1068.

In the Johnson #2 conventional gas unit, the applicant controls 76.9% of the oil and gas interests, and seeks to pool the remaining 23.1% of the interests. Unleased acreage subject to pooling totals 26 acres in nine tracts having nine unleased owners. There are unlocated

owners subject to escrow. No permit application has been submitted. Pooling was approved.

36. The Virginia Gas and Oil Board considered a petition from Equitable Production Company under Section 45.1-371.17 for a well location exception for proposed conventional gas well V-503108. EPC well P-494 lies 1,044.69 feet South 5 degrees 43 minutes 34 seconds East of proposed well V-503108, EPC Well P-507 lies 2,278.08 feet North 81 degrees 35 minutes 12 seconds West of proposed Well V-503108 and EPC Well V-1833 lies 1,802.53 feet North 11 degrees 11 minutes 34 second East of proposed well V-503108 in the Willis District, Clintwood, Dickenson County, Virginia. Docket Number VGOB-02-08/20-1069.

The applicant seeks an exception in order to drill a conventional well closer to existing wells than allowed under statewide spacing. The proposed well is to be 14 feet closer to existing gas well P-430, 222 feet closer to existing gas well P-507, and 697 feet closer to existing gas well V-1833 than the 2500 feet mandated by spacing. No location is possible under statewide spacing rules, and the exception is needed to prevent loss of resources. No permit application has been submitted. The spacing exception was approved.

The deadline for filing of petitions to the Board for the September hearing is 5 p.m., August 16, 2002 with the hearing scheduled for 9 a.m. on Tuesday, September 17, 2002 at the Southwest Virginia Higher Education Center, Abingdon, Virginia.

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